

REMARKS

Claims 1-29 were pending in the application. Claims 2-4, 19-20, 23, and 25-29 have been canceled and claims 30-60 have been added, leaving claims 1, 5-18, 21-22, 24, and 30-60 for consideration upon entry of the present Amendment.

I. The claim amendments and the allowable subject matter.

Applicants have respectfully accepted the allowable subject matter indicated at page 8 of the Office Action. Applicants respectfully thank the Examiner for indicating the allowable subject matter regarding original claims 19-20, 23, 28, and 29.

The claim amendments are explained as follows for the convenience of the Examiner:

Amended independent Claim 1 = 1+4.

Claims 2-4 canceled.

Claims 19-20 canceled.

Claim 23 canceled.

Immediately allowable independent Claim 24= 24 +27+28.

Claims 25-29 canceled.

Immediately allowable new Claim 30 = 1+6+7+11+18+19.

Immediately allowable new Claim 31 = 1+6+7+11+18+20.

Immediately allowable new Claim 32 = 1+6+7+11+23.

Immediately allowable new Claim 33 = 24+27+29.

New independent claim 34 = 1+2+3 and additional amended language.

New dependent claims 35-54 correspond to original claims 4-23.

New independent claim 55 is based on claim 24 and additional amended language.

New dependent claims 56-60 correspond to claims 25-29.

II. The anticipation rejection of Claim 1 in view of Nuttin, US 4,611,799.

Claim 1 has been amended by adding the limitation: "wherein said conveyance controller controls a conveying-velocity of said recording medium conveyed by said second conveyance member" which is claimed in original Claim 4, now canceled.

Thus, claim 1 claims in relevant part:

a second conveyance member to convey said recording medium, said second conveyance member being disposed at a position located between said recording device and said cutting member in said conveying-direction of said recording medium; and a conveyance controller to control said second conveyance member so as to generate a slack of said recording medium at a section between said recording device and said second conveyance member in said conveying-direction of said recording medium;

wherein said conveyance controller controls a conveying-velocity of said recording medium conveyed by said second conveyance member.

Although Nuttin discloses how to control the speed of the roll of paper upstream so that the roll is unwound, the apparatus to control the speed of the roll of paper to be controlled in Nuttin corresponds to a first conveyance unit upstream in the current invention, not to a second conveyance member as claimed as alleged in the rejection at page 2.

The rejection refers to ref. numeral 51 in Nuttin as anticipating the claimed "second conveyance member." 51 is described as a "traction device 51" and also confusingly as "a conveyor system 51." Additionally, the USPTO argues that Nuttin teaches "a conveyance controller" as presently claimed and points to Col. 6, lines 10-17 of Nuttin and points to control box 10 linked to sensor 6 in Figure 10. However, this control scheme is described as a "stop and go system." Thus, as shown in Fig. 12 of Nuttin, the "conveying velocity of said recording medium" *per se* still appears to be controlled by an upstream element and not by the stop and go conveyor system 51 of the end of the line cutter unit 50.

Thus, claim 1 is respectfully asserted to not be anticipated by Nuttin.

III. The obviousness rejections of dependent claims 6-9, 11-16, 18, 21 and 22 in view of the combination of Nuttin and Murai.

Claim 1 is amended and believed to be allowable for the reasons above. Therefore, the dependent claims are also respectfully asserted to be allowable.

Additional reasoning regarding the claims is also provided below.

Claim 6:

Although Murai US5829897 discloses a cutting-position controller to control a cutting position of a recording medium, there is no conveyance device located between a recording

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15

device and cutting member. Murai detects the position mark to determine the cutting position. Consequently, it is impossible to control the cutting position independently and simultaneously from a recording operation of the recording medium.

**Claim 9:**

Murai US5829897 discloses a counter means for counting a number of the position marks to detect the leading edge of recording medium. According to Claim 9, a leading-edge detecting element, which physically detects the leading edge of the recording medium is employed instead of using a counter means. Consequently, it is possible to conduct a more precise cutting position.

**Claim 10:**

Nakadai et al USP 5268766 discloses a cutting position detector provided with a leading-edge detecting element for each paper size (for example, in Fig. 1, sensors 7 and B are provided for different sizes of rolls 2 and 3). On the other hand, in the present invention, a plurality of leading edge detecting elements may be provided in the conveyance direction in a conveyance member at a different positions relative to each other corresponding to plurality of image sizes to be recorded on said recording medium.

**Claim 11:**

Murai US5829897 discloses a cutting position detector which detects a cutting position designating mark provided on the recording medium. However those recording marks are provided having a predetermined interval between these marks. Consequently, in order to determine a cutting position, these marks are counted and a conveyance distance is calculated based on the count of these marks.

In contrast according to claim 11, the cutting position designating mark is provided at a position where the recording medium is physically cut.

Thus, the dependent claims are respectfully asserted to be allowable as a *prima facie* case of obviousness is not respectfully established. (see MPEP 706.02(j)).

IV. Conclusion

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicant's attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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